

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:

SHEPHERD-HULDY DEVELOPMENT
I, LLC,

DEBTOR.

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CASE NO.: 24-32146

CHAPTER 11

SHEPHERD-HULDY DEVELOPMENT
I, LLC,

Plaintiff,

v.

GREENBERG FINANCE, LLC

Defendant.

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ADV. PROCEEDING NO. 25-03024

EMERGENCY MOTION TO DISSOLVE STATE COURT TEMPORARY
RESTRAINING ORDER

NOTICE PURSUANT TO LOCAL BANKRUPTCY RULE 9007:

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21-DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT HEARING.

EMERGENCY RELIEF HAS BEEN REQUESTED. IF THE COURT CONSIDERS THE MOTION ON AN EEMERGENCY BASIS, THEN YOU WILL HAVE LESS THAN 21 DAYS TO ANSWER. IF YOU OBJECT TO THE REQUESTED RELIEF OR IF YOU BELIEVE THAT THE EMERGENCY CONSIDERATION IS NOT WARRANTED, YOU SHOULD FILE AN IMMEDIATE RESPONSE.

**GREENBERG FINANCE REQUESTS AN ORDER BE ENTERED BEFORE 5
O'CLOCK P.M., FEBRUARY 4, 2025**

TO THE HONORABLE JEFFREY NORMAN, UNITED STATES BANKRUPTCY
JUDGE:

COMES NOW Greenberg Finance, LLC (hereinafter "Greenberg Finance"), a secured creditor of above-named debtor, and hereby submits its Emergency Motion to Dissolve State Court Temporary Restraining Order (the "Motion") and, in support thereof, respectfully states as follows:

Greenberg Finance seeks relief on an emergency basis because the temporary restraining order is a violation of this Court's Order (Dkt. 83). Greenberg Finance requests that the Court set a hearing or rule on the Motion by February 4, 2025.

**I.
RELIEF REQUESTED**

Greenberg Finance requests, on an emergency basis, that the Court dissolve the Temporary Restraining Order obtained by Debtor in state court.

The Temporary Restraining Order is a violation of this Court's Order and is contrary to facts and evidence. Dkt. No. 83.

Wherefore, Greenberg Finance requests that the Court dissolve the Temporary Restraining Order and grant such other relief to which it is duly entitled.

Dated: February 4, 2025

Respectfully submitted,

NATHAN SOMMERS GIBSON DILLON PC

By: /s/ Iain L. C. Kennedy

Iain L. C. Kennedy
Texas Bar No. 24068094
ikennedy@nathansommers.com
1400 Post Oak Blvd., Suite 300
Houston, Texas 77056-5705
Telephone: (713) 960-0303
Facsimile: (713) 892-4800

ATTORNEY FOR GREENBERG FINANCE, LLC.

CERTIFICATE OF SERVICE

The undersigned certifies that on February 4, 2025, a true and correct copy of the foregoing Emergency Motion was served electronically on all parties registered to receive electronic notice of filings in this case via this Court's ECF notification system. The undersigned further certifies that the foregoing Emergency Motion will be served upon all parties listed below:

Justin Rayome
1001 West Loop South
Houston, Texas 77027

By E-Mail (justinrayome3@gmail.com)

/s/ Iain L. C. Kennedy

Iain L. C. Kennedy